

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JOSEPH VARGAS,

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

Civil No. C06-5244-RBL-KLS

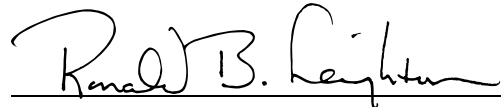
ORDER OF REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings. On remand, the ALJ will associate the pending subsequent SSI disability application filed on November 22, 2006. The ALJ will further evaluate all medical source opinions, including those of Bruce Eather, Ph.D., Kevin Kirkwood, M.D., and the State agency consultants, explain the weight given to each, and provide legally sufficient reasons for any medical opinion that is rejected. The ALJ will re-evaluate the claimant's mental impairments. As necessary, the ALJ will further develop the

1 record, including, if warranted, a consultative psychiatric examination or evidence from a medical
2 expert. The ALJ will re-evaluate Plaintiff's credibility and provide rational in accordance with 20
3 C.F.R. § 416.929 and SSR 96-7p. The ALJ will reassess the claimant's RFC, and if warranted by
4 the expanded record, obtain evidence from a vocational expert to clarify the effect of the assessed
5 limitations on the claimant's occupational base. The ALJ will take any other actions necessary to
6 develop the record and issue a new decision.

8 This case is reversed and remanded on the above grounds pursuant to sentence four of
9 42 U.S.C. § 405(g), and Plaintiff is entitled to reasonable attorney's fees and costs pursuant to
10 28 U.S.C. § 2412(d), upon proper request to this Court.

12 IT IS SO ORDERED this 12th day of December, 2006.

13 

14 RONALD B. LEIGHTON
15 UNITED STATES DISTRICT JUDGE

16 Recommended for Entry:

17 s/ Karen L. Strombom
18 UNITED STATES MAGISTRATE JUDGE

19 Presented by:

20
21 s/ RICHARD A. MORRIS WSB # 33780
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